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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/634,192	08/04/2003	Ying-Hui Shen	PUSA030706 (15749-404)	7074
23595	7590	09/22/2005	EXAMINER	
NIKOLAI & MERSEREAU, P.A. 900 SECOND AVENUE SOUTH SUITE 820 MINNEAPOLIS, MN 55402				LECHERT JR, STEPHEN J
ART UNIT		PAPER NUMBER		
				1732

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/634,192	SHEN, YING-HUI
	<b>Examiner</b>	<b>Art Unit</b>
	Stephen J. Lechert Jr.	1732

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 12 August 0205.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 1-7 is/are allowed.
- 6) Claim(s) \_\_\_\_\_ is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 04 August 2003 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date: _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date: _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

**1. This application is in condition for allowance except for the following formal matters:**

**In the arguments presented by applicant in the letter of August 12, 2005, applicant argued the obviousness rejection of claims 1-7 over McAuliffe in view of Nakahashi et al. The examiner would like to point out that the rejection of claims 1-7 was over Nakahashi et al. by themselves. Claims 1-7 are allowable over both the Nakahashi et al. reference. Applicant is requested to acknowledge this correction.**

**Applicant is requested to provide the McAuliffe reference for the examiner's review.**

**Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.**

**A shortened statutory period for reply to this action is set to expire TWO MONTHS from the mailing date of this letter.**

**2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen J. Lechert Jr. whose telephone number is 571-272-1203. The examiner can normally be reached on 9:30-6:00.**

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**If attempts to reach the examiner by telephone are unsuccessful,  
the examiner's supervisor, Michael P. Colaianni can be reached on  
571-272-1196. The fax phone number for the organization where this  
application or proceeding is assigned is 571-273-8300.**

**Information regarding the status of an application may be  
obtained from the Patent Application Information Retrieval (PAIR)  
system. Status information for published applications may be  
obtained from either Private PAIR or Public PAIR. Status information  
for unpublished applications is available through Private PAIR only.  
For more information about the PAIR system, see [http://pair-  
direct.uspto.gov](http://pair-direct.uspto.gov). Should you have questions on access to the Private  
PAIR system, contact the Electronic Business Center (EBC) at 866-  
217-9197 (toll-free).**

*Stephen J. Lechert Jr.*  
**Stephen J. Lechert Jr.**  
**Primary Examiner**  
**Art Unit 1732**